## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

)
)
) Case No. CIV-23-796-D
)
)

## **ORDER**

Upon review of the file and noting no timely objection to the findings and recommendations of United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1), the Court adopts the Report and Recommendation [Doc. No. 36] in its entirety.

For the reasons stated therein, this action is **DISMISSED** without prejudice to refiling. A separate judgment shall be entered accordingly.

IT IS SO ORDERED this 28th day of June, 2024.

TIMOTHY D. DeGIUSTI

Chief United States District Judge

<sup>&</sup>lt;sup>1</sup> Petitioner's pending Motion for Injunction [Doc. No. 17] is rendered moot.